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To all Interested parties and Statutory parties

Your Ref:

Our Ref: TR010030

Date: 5 May 2020

Dear Sir/Madam

Planning Act 2008 (as amended) – Section 98 and the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8(3)

Application by Highways England for an Order Granting Development Consent for the M25 Junction 10/A3 Wisley Interchange

Notification of new deadline for completion of Examination and variation to the Examination Timetable

On 17 March 2020 the Examining Authority (ExA) posted a notification to the project website advising that the hearings scheduled for 23-25 March 2020 had been postponed due to the public health situation surrounding Coronavirus (COVID-19). This was followed by a procedural decision on 18 March 2020 in which the ExA advised it would be reviewing the procedures for this NSIP Examination.

The ExA has reviewed the effect of postponing the remaining Hearings on the Examination on the basis of the current public health situation with COVID-19. The ExA has concluded, in particular, that for it to examine the Compulsory Acquisition and Temporary Possession cases made by the Applicant and Affected Persons (APs), including APs' right to have their cases heard, and to address matters of fairness, more time would be needed beyond the original Examination end date of 12 May 2020. This is so that a virtual Compulsory Acquisition Hearing (CAH) could be held. Therefore, on 3 April 2020 the Planning Inspectorate, on the ExA's behalf, made a request to the Secretary of State for Transport to extend the examination beyond 12 May 2020.

With respect to the Issue Specific and Open Floor Hearings that were postponed on 17 March 2020, it is the ExA's view that the matters that would have been covered during those Hearings are capable of being addressed through the Applicant and Interested Parties making further written submissions, with the ExA's issuing of its third set of Written Questions on 3 April 2020 under Rule 17 being part of that approach. Opportunities for written submissions and further written questions/requests for further information have been allowed for in the extended Examination Timetable.

On 27 April 2020, and in accordance with s98(4) of the Planning Act 2008, the Secretary of State confirmed the setting of a new deadline for the completion of the Examination **on or before 12 July 2020**. This is a notification on the Secretary of State's behalf of the extended deadline for the Examination's completion and is being made in accordance with s98(7). A Written Ministerial Statement about the extension will be made to Parliament as soon as possible.

In accordance with Rule 8(3) of The Infrastructure Planning (Examination Procedure) Rules 2010 the ExA has therefore decided to extend the Examination beyond 12 May 2020.

An update to the Examination Timetable under Rule 8(3) is attached to this letter at **Annex A**. A document requesting information from parties who may wish to participate in what will be a 'virtual' Compulsory Acquisition Hearing (CAH) is attached at **Annex B**. A MS Word version of Annex B can be found here: <https://infrastructure.planninginspectorate.gov.uk/document/TR010030-000956>.

At this time the Planning Inspectorate is working on making suitable technology available for the holding of a virtual CAH and it is therefore not possible at present for the ExA to confirm whether the CAH will use video conferencing, with telephone access for those who do not wish to use video conferencing, or rely solely on telephone conferencing. The ExA, however, envisages that the CAH will be held across more than one day, with site specific CA cases, in particular, being heard through the holding of a series of scheduled 'surgery sessions'. The revised Examination timetable shows three days for the CAH between **16 and 18 June**, with reserve days for the CAH the following week. The ExA does not expect that it will take six days to complete the CAH, however, this amount of time is being allowed for in order to take account of any technical difficulties that may arise as the event progresses and in recognition of the fact that it is unlikely that a virtual CAH will operate at the same pace as an in-person event.

The completion of the questions included in Annex B will help to inform the ExA's decision about which form of virtual CAH will be held. A note on Frequently Asked Questions will be issued on the project website in due course.

Yours sincerely

Gavin Jones

Lead member of the Panel

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<https://infrastructure.planninginspectorate.gov.uk>



Annex A

Item	Matters	Due Dates
17.	<p>Deadline 9 (D9)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Any comments on Proposed Changes 7 to 9 • Notification of a wish to speak at a CAH. • Responses from Affected Persons (APs) with respect to their individual preference for the use of video conferencing or teleconferencing technologies during the course of a virtual Compulsory Acquisition Hearing (CAH) (not for publication). See Annex B. • Taking into account the limitations of virtual hearings and the Open Floor Hearing (OFH) that has already taken place in the examination, please submit comments on whether a further OFH, which would need to be a virtual hearing, is required or whether written submissions would suffice. • Any further information requested by the ExA under Rule 17 	Thursday 14 May 2020
18.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Further written questions (if required) • The ExA's second draft DCO schedule of changes (if required) 	Thursday 21 May 2020
19.	<p>Deadline 10 (D10)</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to further written questions published by the ExA on 21 May 2020 (if issued) • Comments on the ExA's second draft DCO schedule of changes (if issued) • For the Interested Parties (IPs) and any other Examination participants who had notified the Planning Inspectorate of their wish to heard at Open Floor Hearing 2 (OFH2) originally timetabled for 25 March 2020, the provision in writing of the oral cases that they would otherwise have been made at the postponed OFH2. • Any further information requested by the ExA under Rule 17 • Comments on any further information responses under Rule 17 received by the ExA at D9 (if required) 	Tuesday 2 June 2020

Item	Matters	Due Dates
20.	Time reserved for a Compulsory Acquisition Hearing (CAH).	Tuesday 16 June 2020 Wed 17 June 2020 Thurs 18 June 2020
21.	Additional time reserved for CAH, if required.	Tuesday 23 June 2020 Weds 24 June 2020 Thurs 25 June 2020
22.	Deadline 11 (D11) Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Written summaries of oral contributions at the CAH • Post-Hearing submissions requested by the ExA (if required) • Applicant’s updated Book of Reference and Statement of Reasons, and the documents certified under Schedule 10 of the dDCO (if required) • Responses to comments on the ExA’s second draft DCO schedule of changes (if required). • Any further information requested by the ExA under Rule 17 • Comments on any further information responses under Rule 17 received by the ExA at D10 (if required) 	Friday 3 July 2020
23.	Deadline 12 (D12) Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Final draft DCO to be submitted by the Applicant in the SI template with the SI template validation report (if required) • Applicant’s final updated Guide to the Application (if required) • Final signed SoCGs (if required) • Final Statement of Commonality of SoCGs (if required) • Final updated version of the Book of Reference (if required) • Any further information requested by the ExA under Rule 17 • Comments on submissions made at D11 • Comments on any further information responses under Rule 17 received by the ExA at D11 (if required) 	Friday 10 July 2020

Item	Matters	Due Dates
24.	The ExA is under a duty to complete the Examination by the new deadline set by the Secretary of State.	Sunday 12 July 2020



Application by Highways England for an Order Granting Development Consent for the M25 Junction 10 / A3 Wisley Interchange Project

Issued on 5 May 2020

The following table sets out the Examining Authority’s (ExA’s) request for information regarding participation by the Applicant and Affected Persons (APs) in a virtual Compulsory Acquisition Hearing (CAH). The responses to these questions will help the ExA to decide what arrangements and preparations will be needed for the running of the CAH.

Please note that technical and management considerations are likely to result in the ExA limiting the number of speakers at any given time.

Please provide your responses in the shaded boxes in the table, as indicated.

Recognising the potential for participants to be accessing the virtual CAH from their homes rather than places of workplace, would you please ensure that a copy of the table is completed by each person who intends to participate in the CAH.

Please return your completed copy of the table by email to M25junction10@planninginspectorate.gov.uk. Please contact the case team via that same email address or by telephone at 0303 444 5000 if you have any difficulty completing the form.

Responses must be provided by Deadline 9, on Thursday 14 May 2020.

Privacy Notice: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2018/05/ni-privacy-statement.pdf>

PLEASE NOTE THAT THE INFORMATION IN THE COMPLETED TABLES WILL NOT BE PUBLISHED OR MADE PUBLIC AND WILL ONLY BE USED BY THE ExA AND THE PLANNING INSPECTORATE TO HELP PLAN THE CAH.

Part 1 – Your details

Please provide a separate sheet for each person who may wish to speak at or observe the CAH. We recognise that many people have adjusted their home and working arrangements, so this is an opportunity for you to let us know about any changes to your contact details.

1.	Your name		
2.	<p>Your contact details</p> <p>To participate in the CAH you will need to provide the Planning Inspectorate with an email address and/or telephone number that are easily accessible to you and that we can contact you on before and possibly during the CAH. It will be helpful if you could please provide both.</p> <p>By providing these details you and any person or organisation that you represent authorise their use for the Planning Inspectorate to contact you for the purposes of the Examination.</p> <p><i>Please type your responses in the shaded boxes</i></p>	Email address	
		Telephone number	
3.	<p>Representation</p> <p><i>Please put an X in the appropriate shaded box</i></p>	I am representing myself	
		I am an employee, a professional representative, a self-representing AP or a non-professional representative/friend acting for an AP	
4.	<p>If you are representing an organisation or an AP, the please state the name of whom you are representing.</p> <p><i>Please type your response in the shaded box</i></p>		
5.	<p>Affected Person reference number</p> <p>Please confirm your Interested Party reference number, or the reference number of the organisation or other person that you are representing.</p> <p>This is a reference number provided to you by the Planning Inspectorate in our communications to you and will start with "M25J10-" or "20022"</p> <p><i>Please type your responses in the shaded box</i></p>		

Part 2 – Your participation

Please give us an indication of your anticipated level of participation during the CAH. This information will help us to plan appropriately. Formal notifications of a request to speak at the CAH.

6.	<p>If you are an Affected Person, do you intend to participate in the CAH?</p> <p>The time reserved for a CAH is set out in the Examination Timetable.</p> <p>An Affected Person is a person with a legal interest in the land, or any part of the land, affected by the Proposed Development. It is defined in Section 59(4) of the Planning Act 2008.</p> <p><i>Please put an X in one shaded box</i></p>	Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
		No, I intend to submit written submission instead	<input type="checkbox"/>
7.	<p>As an Affected Person, if your answer above is 'yes' please explain why you would like to participate in a Compulsory Acquisition Hearing? In providing that explanation please identify which plots of land, using the reference numbers that appear in the Applicant's latest set of Land Plans [REP8-003] as that you would intend to refer to during the course of the CAH.</p> <p><i>Please type your response in the shaded box</i></p>		

Part 3 – Your computer and telephone facilities

If you intend to participate in the virtual hearing, please give an indication of the facilities that you have available to you. This information will help us to decide what arrangements should be made. When answering, please assume that the Planning Inspectorate will provide you with reasonable advice and support.

8.	<p>Do you have access to a computer or tablet connected to the internet, or to a smart phone?</p> <p><i>Please put a X in the shaded box of any that apply, or in 'none of the above'</i></p>	A computer running Microsoft Windows 10	<input type="checkbox"/>
		A computer running Macintosh OSX Catalina	<input type="checkbox"/>
		An Apple iPad	<input type="checkbox"/>
		An Android tablet	<input type="checkbox"/>
		An Android smart phone	<input type="checkbox"/>

		An Apple iPhone	<input type="checkbox"/>
		Another type of smart phone (not Android or Apple)	<input type="checkbox"/>
		None of the above	<input type="checkbox"/>
9.	<p>If you have a computer running an operating system that is not Microsoft Windows 10 or Macintosh OSX Catalina (version 10.15), please tell us the manufacturer, type and version of the operating system, for example, 'Microsoft Windows 8', or 'Linux Debian 10:10.3'.</p> <p><i>Please type your response in the shaded box</i></p>		
10.	<p>How confident are you that you could use your computer, tablet or smart phone to participate in the CAH where you could see and be seen, speak and be spoken to, by participants in real time?</p> <p>Most internet connected computers or tablets or smart phones can connect participants to a video conference, provided they have a camera, microphone and speakers or headphones built in or connected to them.</p> <p><i>Please put an X in one shaded box</i></p>	Highly confident	<input type="checkbox"/>
		Confident	<input type="checkbox"/>
		Reasonably confident	<input type="checkbox"/>
		Not at all confident	<input type="checkbox"/>
		I do not have a suitable computer, tablet or smart phone	<input type="checkbox"/>
11.	<p>How confident are you that you could use your computer, tablet or smart phone to participate in a CAH where you could speak and be spoken to by participants in real time?</p> <p>Most internet connected computers or tablets or smart phones can connect participants to a teleconference, provided they have a microphone and speakers or headphones built in or connected to them.</p> <p><i>Please put an X in one shaded box</i></p>	Highly confident	<input type="checkbox"/>
		Confident	<input type="checkbox"/>
		Reasonably confident	<input type="checkbox"/>
		Not at all confident	<input type="checkbox"/>
		I do not have a suitable computer, tablet or smart phone	<input type="checkbox"/>
12.	<p>If you do not have access to a suitable computer, tablet or smart phone, do you have access to a telephone that you could use?</p> <p><i>Please put a X in the box of any that apply, or in 'none of the above'</i></p>	A land line telephone	<input type="checkbox"/>
		A mobile phone other than a smart phone	<input type="checkbox"/>
		None of the above	<input type="checkbox"/>

13.	<p>How confident are you that you could use your telephone or mobile phone to participate in a CAH where you could speak and be spoken to by participants in real time?</p> <p>A land-line telephone or mobile telephone of almost any age or design can be used to dial in to a teleconference.</p> <p><i>Please put an X in one shaded box</i></p>	Highly confident	<input type="checkbox"/>
		Confident	<input type="checkbox"/>
		Reasonably confident	<input type="checkbox"/>
		Not at all confident	<input type="checkbox"/>
		I do not have a suitable telephone or mobile phone	<input type="checkbox"/>

Part 4 – How the Planning Inspectorate can help you

Considering your current circumstances, please help us to identify how we can help you to engage with the rest of the Examination.

14.	<p>If your confidence in being able to participate in the CAH is low, why is that?</p> <p><i>Please put an X in one or more shaded box</i></p>	The internet in my area is slow or intermittent	<input type="checkbox"/>
		The equipment available to me has performance issues	<input type="checkbox"/>
		I am not confident with this type of technology	<input type="checkbox"/>
		A video conference is not suitable for a CAH	<input type="checkbox"/>
		A teleconference is not suitable for a CAH	<input type="checkbox"/>
		Not applicable: I am confident in being able to participate	<input type="checkbox"/>

15.	<p>As applicable, please could you provide further details of why your confidence level is low or why you do not consider that a video conference or teleconference is suitable for a CAH?</p> <p><i>Please type your response in the shaded box</i></p>	
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16.	<p>How could the Planning Inspectorate help to increase your confidence level?</p> <p><i>Please put an X in one or more shaded box</i></p>	By providing written advice on the equipment that is supported and how to get the best out of it	<input type="checkbox"/>
		By providing written information on the arrangements for a CAH and how to participate in one	<input type="checkbox"/>

		By providing a Frequently Asked Questions document with responses to issues that are commonly raised	
		By somebody responding to the issues that I set out in more detail in writing	
		By somebody calling me to take me through the arrangements and my options	
		By having a trial run before the CAH	
17.	<i>Please add any further information that we need to know in the shaded box</i>		